

ARTICLE 4

RESIDENTIAL DISTRICT REGULATIONS

PART 0 RESIDENTIAL DISTRICTS IN GENERAL

4-001 General Purpose and Intent

Residential zoning districts are established in the Zoning Ordinance to implement Fauquier County Comprehensive Plan goals and policies that provide for a range of housing types to meet the needs of current and future County residents, promote the development of residential areas with safe and healthy surroundings, **concentrate and guide residential growth in designated Service Districts ,Villages and Settlements and protect the quality of life of County residents. The residential zoning districts also allow specified non-residential uses. Virtually all of the non-residential uses allowed in the residential zoning districts require approval of a special permit by the Board of Zoning Appeals or a special exception permit by the Board of Supervisors.**

4-002 Residential Districts Established

The following residential zoning districts are established

Residential Village (V)
Residential District (R-1)-- one dwelling unit per acre
Residential District (R-2)-- two dwelling units per acre
Residential District (R-3)-- three dwelling units per acre
Residential District (R-4)-- four dwelling units per acre
Townhouse (TH) Residential District
Garden Apartment (GA) Residential District
Manufactured Dwelling Park (MDP) Residential District

In addition to the above conventional residential zoning districts, there is also established in Part 1 of Article 7 (Special and Overlay District Regulations) a Special Development—Planned Residential Development (PRD) district.

PART 1 4-100 RESIDENTIAL (V) VILLAGE DISTRICT

4-101 Purpose and Intent

The Village (V) zoning district reflects the existence of small communities which historically have provided social and economic services to the rural areas. The regulations are designed to recognize the mixed use character of the village, encourage its rural service functions, and to provide for appropriate expansion of the village while maintaining its rural qualities. In addition to allowing home occupations as a right, this district can accommodate cottage industries where appropriate. **It is the intent to locate this district category in areas designated as villages or settlements in the Fauquier County Comprehensive Plan.**

4-102 Uses Permitted By Right

The following principal uses shall be permitted by right in the V District subject to the use restrictions and standards in Section 4-107, below, and in Article 8:

1. Residential Uses
 - A. Detached, single family dwellings
2. Residential Business Uses
 - A. Home occupations with or without retail sales or service and in accordance with Part 8 of Article 8
3. Community Uses
 - A. Recreational or social uses approved as part of a subdivision or site plan and operated for use of residents only
4. Public and Quasi-Public Uses
 - A. Parks and recreational facilities (government/civic), non-athletic
5. Agricultural Uses
 - A. Farm-crop/livestock/horse/ truck

- B. Forestry
 - C. Plant nursery/greenhouse (less than 10,000 sq. ft.),
wholesale only
6. Public Utilities
- A. Water and sewer pumping and storage facilities, below
ground

4-103 Uses Permitted as Accessory Uses

Accessory uses and accessory service uses are defined in Article 12 and are set forth and subject to the regulations and standards as specified in Part 7 of Article 8. In general, accessory uses and structures are uses or structures which are subordinate to and serving a principal use, and are located within the building or structure served or on the same lot.

4-104 Uses Permitted by Special Exception

The following uses may be approved by Special Exception by the Board of Supervisors pursuant to the regulations and standards of Article 8 and procedural requirements of Part 5 of Article 9:

- 1. Educational Uses
 - A. College/university, fraternity/sorority house or other
residential facilities for use by students, faculty or other
affiliated with an educational institution
 - B. Primary school and secondary school with or without
dormitory
 - C. School of special/technical education, indoor
- 2. Institutional Uses
 - A. Medical or continuing care facility, major
 - B. Medical care facility, minor, limited to facilities which
have capacity of fewer than 20 beds
 - C. Residential care facility greater than 25 persons, major
- 3. Public and Quasi-Public Uses

- A. Governmental facilities, County
 - B. Library
 - C. Parking facilities, public or private
 - D. Public safety facility, (fire, rescue, police station or substation facility)
 - E. Parking facilities, public or private
 - F. Recycling containers, governmental
 - G. Solid waste transfer station, governmental
4. Public Utilities
- A. Utility transmission facilities not subject to State Corporation Commission; Sewage treatment, disposal and water purification
 - B. Telecommunication facilities, see Article 8-1100 Telecommunications Ordinance
 - C. Radio, television, microwave, antenna and transmitting equipment and above ground water and sewer pumping storage facilities

4-105 Uses Permitted by Special Permit

The following uses may be approved by Special Permit by the Board of Zoning Appeals pursuant to the provisions of to the regulations and standards of Article 8 and procedural requirements of Part 6 of Article 9:

- 1. Residential Businesses
 - A. Auto repair garage
 - B. Cottage Industries
 - C. Small contracting business
- 2. Transient Housing
 - A. Tourist home/boarding house

3. Community Uses

- A. Meeting halls for social, fraternal, civic, public and similar organizations

4. Educational Uses

- A. Preschool/day care center/nursery school

5. Institutional Uses

- A. Place of worship
- B. Residential care facility, minor

6. Adaptive Uses

Adaptive uses are generally the use of a dwelling constructed prior to 1940 for uses other than as a detached, single family dwelling. The following adaptive uses may be approved by special permit pursuant to the minimum standards in Article 8:

- A. Art and craft galleries
- B. Inn or boarding house
- C. Multi-family uses
- D. Offices
- E. Restaurants
- F. Retail shops

7. Temporary Uses

- A. Carnival, circus, festival, fair, tractor pull, horse show, dog show, steeplechase, pony ride, turkey shoot, sale of Christmas trees, and other seasonal commodities and other similar activities

8. Recreation and Amusement Uses

- A. Country club/golf course, public or private

Article 4-Residential District Regulations
Final Draft

- B. Equestrian facilities (boarding and instruction) (non-spectator)
- C. Private clubs
- D. Swimming/tennis (racquet) facility, public or private
- 9. Public and Quasi-Public Uses
 - A. Fairgrounds
 - B. Parks and recreational facilities (civic), athletic
 - C. Post Office
- 10. Commercial Retail
 - A. Antique shops
- 11. Commercial Business and Personal Services
 - A. Barber/beauty shop
 - B. Office, professional (including clinics), 6 or fewer employees
 - C. Veterinary clinic
- 13. Agriculture
 - A. Farm-dairy/horse
 - B. Greenhouse (more than 10,000 sq. ft.); plant nursery/ retail sales
 - C. Orchard/vineyard
- 14. Public Utilities
 - A. Electrical substation distribution centers and transformer stations; natural gas, oil, and other petroleum product, metering, regulation, compressor and local office space incidental thereto and necessary for the operation of such stations but not including any storage facilities

15. Interment Uses

- A. Interment uses to include cemeteries, mausoleums, columbariums, memorial gardens and crematoriums

16. Increases in Building Height

- A. Pursuant to the standards of Section 8-123 of this Ordinance the Board of Zoning appeals may approve an increase in height above that specified in Section 4-109 below

4-106 Uses Permitted by Administrative Permit

The following uses may be approved by Administrative Permit by the Zoning Administrator pursuant to the regulations and standards of Article 8 and procedural requirements of Part 7 of Article 9:

1 Residential Uses

- A. Apartment, efficiency
- B. Apartment, family
- C. Dwelling, duplex
- D. Dwelling, manufactured

2. Temporary Uses

- A. Construction office, for life of project
- B. Manufactured home while constructing a dwelling (maximum one year)
- C. Subdivision/apartment sales rental office

4-107 Use Limitations

Unless otherwise specified in this Ordinance or modified pursuant to Part 3 of Article 10 of this Ordinance, all uses shall conform to the general and specific regulations and standards of Article 8 of this Ordinance. Included in this Article are performance standards and additional standards and regulations for specific permitted, special exception, special permit and administrative permit uses, accessory uses and structures, temporary uses,

private streets, off-street parking and loading, signs, landscaping and buffering, and site plans.

Land lying within the 100 year floodplain, as defined in Article 12 is designated as a Floodplain (FP) overlay zoning district and is subject to the specific additional use restrictions, limitations and requirements of Part 6 of Article 7.

Land lying within designated airport safety and impact areas is subject to the additional regulations and restrictions of the Airport Safety and Impact (APSI) overlay zoning district set forth in Part 7 of Article 7. The APSI additional regulations include provisions which may limit new residential construction on land that is highly impacted by aircraft noise and may require soundproofing and other measures for specified locations near an airport.

In addition to the above general use restrictions, the following are specifically applicable to the V district:

1. No sale of goods or products shall be permitted except as accessory and incidental to a permitted, special permit, special exception or administrative permit use.
2. **All utility distribution lines shall be placed underground.**

4-108 Density

The maximum residential density in the V District is 1.4 dwelling units per acre.

4-109 Lot and Building Requirements

1. Minimum Lot Size: 30,000 sq. ft.
2. Minimum Lot Width: 90 ft.
3. Minimum Front Yard, **measured from the edge of the right-of-way of the type of street** listed:
 - (1) Urban local or rural
minor collector: 50 feet
 - (2) Urban collector or
rural major collector: 65 feet
 - (3) Freeways and principal or

rural principal or minor arterials: 80 feet

4. Minimum Side and Rear Yards: 25 ft.
5. Maximum Building Height: 35 ft.
6. Maximum Lot Coverage(%): No requirements in the V District

4-111 Modifications to Yard and Height Requirements

In order to preserve the character of existing villages and settlements, and provide for greater flexibility the Zoning Administrator may modify the minimum front and side yard setback and height requirements specified above for new infill construction. Setbacks from streets shall, however, be within twenty percent of the setbacks of the immediate neighboring dwellings. Setbacks for side yards should reflect the existing spacing between buildings in a block and shall be within twenty percent of that average. The height of new construction should relate to the prevailing building height (in feet) of the entire block and shall be eighty to one hundred twenty percent of the existing average of the block.

4-112 Minimum District Size

No requirements in the V District.

4-113 Minimum Development Size

No requirements in the V District.

4-114 Open Space and Recreational Requirements:

None for the V District.

**PART 2 4-200 RESIDENTIAL (R-1) DISTRICT, ONE DWELLING
UNIT/ACRE**

4-201 Purpose and Intent

The R-1 Residential District is intended to promote and maintain single family residential communities and non-residential uses consistent with the density, size and character of the districts. **The R-1 District is intended to be used exclusively in Service Districts as identified in the Fauquier County Comprehensive Plan and should not be an allowable rezoning category request outside any designated Service District, Village or Settlement.** The R-1 district is primarily intended for conventional subdivision development; however this Ordinance contains provisions for cluster development whereby lot and yard size requirements may be reduced in exchange for open space and other amenities that will benefit both the residents of the development and enhance the overall quality of development in Fauquier County.

4-202 Uses Permitted By Right

The following principal uses shall be permitted by right in the R-1 District subject to the use limitations set forth in to the use restrictions and standards in Section 4-207, below, and in Article 8:

1. Residential Uses
 - A. Detached, single family dwellings
2. Residential Business Uses
 - A. Home occupations with no retail sales or service and in accordance with Part 8 of Article 8
3. Community Uses
 - A. Recreational or social uses approved as part of a subdivision or site plan and operated for use of residents only
4. Public and Quasi-Public Uses
 - A. Parks and recreational facilities (civic), non-athletic

5. Agricultural Uses
 - A. Farm-crop/livestock/horse/ truck
 - B. Forestry
 - C. Plant nursery/greenhouse (less than 10,000 sq. ft.),
wholesale only
6. Public Utilities
 - A. Water and sewer pumping and facilities, below
ground

4-203 Uses Permitted as Accessory Uses

Accessory uses and accessory service uses are defined in Article 12 and are set forth and subject to the regulations and standards as specified in Article 8. In general, accessory uses and structures are uses or structures which are subordinate to and serving a principal use, and are located within the building or structure served or on the same lot.

4-204 Uses Permitted by Special Exception

The following uses may be approved by Special Exception by the Board of Supervisors pursuant to the regulations and standards of Article 8 and procedural requirements of Part5 of Article 9:

1. Educational Uses
 - A. College/university fraternity/sorority house or other
residential facilities for use by students, faculty or other
affiliated with an educational institution
 - B. Primary school and secondary school with or without
dormitory
 - C. School of special/technical education, indoor
2. Institutional Uses
 - A. Medical or continuing facility, major
 - B. Medical care facility, minor, limited to facilities which
have capacity of fewer than 20 beds

- C. Residential care facility greater than 25 persons, major
- 3. Public and Quasi-Public Uses
 - A. Governmental facilities, County
 - B. Library
 - C. Parking facilities, public or private
 - D. Public safety facility, (fire, rescue, police station or substation facility)
 - E. Parking facilities, public or private
 - F. Recycling containers, governmental
 - G. Solid waste transfer station (governmental)
- 4. Public Utilities
 - A. Utility transmission facilities not subject to State Corporation Commission; Sewage treatment, disposal and water purification
 - B. Telecommunication facilities, see Article 8-1100 Telecommunications Ordinance
 - C. Radio, television, microwave, antenna and transmitting equipment and above ground water and sewer pumping storage facilities

4-205 Uses Permitted by Special Permit

The following uses may be approved by Special Permit by the Board of Zoning Appeals pursuant to the provisions of to the regulations and standards of Article 8 and procedural requirements of Part 6 of Article 9:

- 1. Residential Businesses
 - A. Auto repair garage
 - B. Home occupations with retail sales or service and in accordance with Part 8 of Article 8.

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2. Transient Housing
 - A. Tourist Home/boarding house
3. Educational Uses
 - A. Preschool/day care center/nursery school
4. Institutional Uses
 - A. Place of Worship
 - B. Residential care facility, minor
5. Adaptive Uses

Adaptive uses are generally the use of a dwelling constructed prior to 1940 for uses other than as a detached, single family dwelling. The following adaptive uses may be approved by special permit pursuant to the minimum standards in Article 8:

- A. Art and craft galleries
 - B. Inn or boarding house
 - C. Multi-family uses
 - D. Offices
 - E. Restaurants
 - F. Retail shops
6. Temporary Uses
 - A. Carnival, circus, festival, fair, tractor pull, horse show, dog show, steeplechase, pony ride, turkey shoot, sale of Christmas trees, and other seasonal commodities and other similar activities
7. Recreation and Amusement Uses
 - A. Country club/golf course, public or private
 - B. Equestrian facilities (boarding and instruction) (non-spectator)

- C. Marine, dock or boating facility
- D. Private clubs
- E. Swimming/tennis (racquet) facility, public or private
- 8. Public and Quasi-Public Uses
 - A. Fairgrounds
 - B. Parks and recreational facilities (civic), athletic
- 9. Commercial Business and Personal Services
 - A. Barber/beauty shop
 - B. Office, professional (including clinics), 6 or fewer employees
- 10. Agriculture
 - A. Farm-dairy
 - B. Greenhouse (more than 10,000 sq. ft.) wholesale only;
plant nursery/greenhouse retail sales
 - C. Orchard/vineyard
- 11. Public Utilities
 - A. Electrical substation distribution centers and transformer stations; natural gas, oil, and other petroleum products metering, regulation, compressor and local office space incidental thereto and necessary for the operation of such stations but not including any storage facilities
- 12. Transportation
 - A. Helistops and heliports
- 13. Interment Uses
 - A. Interment uses to include cemeteries, mausoleums, columbariums, memorial gardens and crematoriums

15. Increases in Building Height

- A. Pursuant to the standards of Section 8-123 of this Ordinance the Board of Zoning Appeals may approve an increase in height above that specified in Section 4-210, below.

4-206 Uses Permitted by Administrative Permit

The following uses may be approved by Administrative Permit by the Zoning Administrator pursuant to the regulations and standards of Article 8 and procedural requirements of Part 7 of Article 9:

1 Residential Uses

- A. Apartment, efficiency
- B. Apartment, family
- C. Dwelling, duplex
- D. Dwelling, manufactured

2. Temporary Uses

- A. Construction office, for life of project
- B. Manufactured home while constructing a dwelling (maximum one year)
- C. Subdivision/apartment sales rental office

4-207 Use Limitations

Unless otherwise specified in this Ordinance or modified pursuant to Part 3 of Article 10 of this Ordinance, all uses shall conform to the general and specific regulations and standards of Article 8 of this Ordinance. Included in this Article are performance standards and additional standards and regulations for specific permitted, special exception, special permit and administrative permit uses, accessory uses and structures, temporary uses, private streets, off-street parking and loading, signs, landscaping and buffering, and site plans.

Land lying within the 100 year floodplain, as defined in Article 12 is designated as a Floodplain (FP) overlay zoning district and is subject to

the specific additional use restrictions, limitations and requirements of Part 5 of Article 7.

Land lying within designated airport safety and impact areas is subject to the additional regulations and restrictions of the Airport Safety and Impact (APSI) overlay zoning district set forth in Part 7 of Article 7. The APSI additional regulations include provisions which may limit new residential construction on land that is highly impacted by aircraft noise and may require soundproofing and other measures for specified locations near an airport.

In addition to the above general use restrictions, the following are specifically applicable to the R-1 district:

1. No sale of goods or products shall be permitted except as accessory and incidental to a permitted, special permit, special exception or administrative permit use.
2. **All utility distribution lines shall be placed underground.**

4-208 Density

The maximum residential density in the R-1 District is 1 dwelling unit per acre, unless a special exception is obtained in accordance with Section 8-126.

4-209 Conventional and Cluster Development

Residential development within the R-1 district may be done as either a conventional subdivision or as a cluster subdivision. A conventional subdivision involves the creation of lots strictly in accordance with the conventional subdivision lot and building requirements stated in Section 4-210 below. A cluster allowing the reductions of lot size and several other lot and building requirements in return for the provision of common open space and other amenities within the development.

4-210 Lot and Building Requirements

1. Minimum Lot Size
 - A. Conventional subdivision lot: 40,000 sq. ft.
 - B. Cluster subdivision lot: 25, 000 sq. ft.
2. Minimum Lot Width

A. Conventional subdivision lot:

- (1) Interior lot: 150 feet
- (2) Corner lot: 175 feet

B. Cluster subdivision lot

- (1) Interior lot: no requirement
- (2) Corner lot: 125 feet

3. Minimum Front Yard, **measured from the edge of the right-of-way** of the type of street listed

A. Conventional and cluster subdivision lots:

- (1) Urban local or rural
minor collector: 60 feet
- (2) Urban collector or
rural major collector: 75 feet
- (3) Freeways and principal,
rural principal or minor arterials: 90 feet

4. Minimum Side Yards

A. Conventional subdivision lot: 25 feet

A. Cluster subdivision lots: 12 feet but the
two side yards must total not less than 25 ft.

5. Minimum Rear Yard

A. Conventional and cluster subdivision lots: 25 ft.

6. Maximum Building Height: 35 ft.

7. Maximum Lot Coverage(%): No requirements in
the R-1 district.

4-211 Minimum District Size

1. Conventional subdivision development:

No minimum

2. Cluster subdivision development:

5 acres

4-212 Minimum Development Size

1. Conventional subdivision development:

No minimum

2. Cluster subdivision development: 5 acres

4-213 Buffers and Setbacks from Adjacent Development

When an R-1 development adjoins an existing or planned residential development which is zoned to a lesser density, a building setback shall be provided that is not less than the setbacks required in the adjoining zoning district. Within this area there shall be appropriate landscaping and buffering as approved by the Planning Commission or other approving subdivision authority in conjunction with the subdivision of the parcel.

4-214 Open Space and Recreational Requirements: Conventional Development

1. Except in the RA and RC zones, when a lot is proposed for subdivision using the cluster provisions of Section 4-210, a minimum of fifty (50) percent of the gross site area shall be in open space, unless a special exception satisfying the standards of Section 8-125.

2. When a lot is proposed for conventional subdivision into 25 or more lots in the R-1 zone, the following minimum percentages of gross site area shall be in common open space unless a special exception satisfying the standards of Section 8-126 is approved. At least 50% of the designated open space shall be configured for contiguous usable recreation purposes:

R-1 25%

4-215 Open Space and Recreational Requirements: Cluster Subdivision Development

1. **Open Space:** No less than 40% of the gross site area shall be provided as open space. No less than 50% for the open space shall be configured for contiguous, usable recreation purposes. Open space in R-1 developments shall be accessible to all residents of the development and shall be preserved by means of a permanent open space easement in a form acceptable to the County.
2. **Recreational Requirements:** There are no minimum recreational requirements in the R-1 District.

**PART 3 4-300 RESIDENTIAL (R-2) DISTRICT, TWO DWELLING
 UNITS/ACRE**

4-301 Purpose and Intent

The Residential (R-2) District is intended to promote and maintain single family residential communities and non-residential uses consistent with the density, size and character of the district. The R-2 district is primarily intended for conventional subdivision development; however this Ordinance contains provisions for cluster development whereby lot and yard size requirements may be reduced in exchange for open space and other amenities that will benefit both the residents of the development and enhance the overall quality of development in Fauquier County. **The R-2 District is restricted to those areas designated as Service Districts in the Comprehensive Plan and which are served or planned to be served by public water and sewer.**

4-302 Principal Uses Permitted By Right

The following principal uses shall be permitted by right in the R-2 District subject to the use restrictions and standards in Section 4-307, below, and in Article 8:

1. Residential Uses
 - A. Detached, single family dwellings
2. Residential Business Uses
 - A. Home occupations with no retail sales or service and in accordance with Part 8 of Article 8
3. Community Uses
 - A. Recreational or social uses approved as part of a subdivision or site plan and operated for use of residents only
4. Public and Quasi-Public Uses
 - A. Parks and recreational facilities (civic), non-athletic
5. Agricultural Uses

- A. Forestry
- 6. Public Utilities
 - A. Water and sewer pumping and storage facilities, below ground

4-303 Uses Permitted as Accessory Uses

Accessory uses and accessory service uses are defined in Article 12 and are set forth and subject to the regulations and standards as specified in Article 8. In general, accessory uses and structures are uses or structures which are subordinate to and serving a principal use, and are located within the building or structure served or on the same lot.

4-304 Uses Permitted by Special Exception

The following uses may be approved by Special Exception by the Board of Supervisors pursuant to the regulations and standards of Article 8 and procedural requirements of Part 5 of Article 9:

- 1. Educational Uses
 - A. College/university, fraternity/sorority house or other residential facilities for use by students, faculty or other affiliated with an educational institution
 - B. Primary school and secondary school with or without dormitory
 - C. School of special/technical education, indoor
- 2. Institutional Uses
 - A. Medical or continuing care facility, major
 - B. Medical care facility, minor, limited to facilities which have capacity of fewer than 20 beds
 - C. Residential care facility greater than 25 persons, major
- 3. Public and Quasi-Public Uses
 - A. Governmental facilities, County

- B. Library
 - C. Parking facilities, public or private
 - D. Public safety facility, (fire, rescue, police station or substation facility)
 - E. Parking facilities, public or private
 - F. Recycling containers, governmental
 - G. Solid waste transfer station (governmental)
4. Public Utilities
- A. Utility transmission facilities not subject to State Corporation Commission; sewage treatment, disposal and water purification
 - B. Telecommunication facilities, see Article 8-1100 Telecommunications Ordinance
 - C. Radio, television, microwave, antenna and transmitting equipment and above ground water and sewer pumping storage facilities

4-305 Uses Permitted by Special Permit

The following uses may be approved by Special Permit by the Board of Zoning Appeals pursuant to the provisions of the regulations and standards of Article 8 and the procedural requirements of Part 6 of Article 9:

- 1. Residential Businesses
 - A. Home occupations with retail sales or service and in accordance with Part 8 of Article 8
- 2. Educational Uses
 - A. Preschool/day care nursery school
- 3. Institutional Uses
 - A. Place of Worship

- B. Residential care facility, minor

4. Adaptive Uses

Adaptive uses are generally the use of a dwelling constructed prior to 1940 for uses other than as a detached, single family dwelling. The following adaptive uses may be approved by special permit pursuant to the minimum standards in Article 8:

- A. Art and craft galleries

- B. Inn or boarding house

- C. Multi-family uses

- D. Offices

- E. Restaurants

- F. Retail shops

5. Temporary Uses

- A. Carnival, circus, festival, fair, tractor pull, horse show, dog show, steeplechase, pony ride, turkey shoot, sale of Christmas trees, and other seasonal commodities and other similar activities

6. Recreation and Amusement Uses

- A. Country club/golf course, public or private

- B. Equestrian facilities (boarding and instructive) (non-spectator)

- C. Marina, dock or boating facility

- D. Private clubs

- E. Swimming/tennis (racquet) facility, public or private

7. Public and Quasi-Public Uses

- A. Parks and recreational facilities (civic), athletic

8. Commercial Business and Personal Services

- A. Office, professional (including clinics), 6 or fewer employees
- 9. Public Utilities
 - A. Electrical substation distribution centers and transformer stations; natural gas, oil, and other petroleum products metering, regulation, compressor and local office space incidental thereto and necessary for the operation of such stations but not including any storage facilities
- 10. Interment Uses
 - A. Interment uses to include cemeteries, mausoleums, columbariums, memorial gardens and crematoriums
- 11. Increases in Building Height
 - A. Pursuant to the standards of Section 8-123 of this Ordinance the Board of Zoning appeals may approve an increase in height above that specified in Section 4-310, below.

4-306 Uses Permitted by Administrative Permit

The following uses may be approved by Administrative Permit by the Zoning Administrator pursuant to the regulations and standards of Article 8 and procedural requirements of Part 7 of Article 9:

- 1. Residential Uses
 - A. Apartment, efficiency
 - B. Apartment, family
 - C. Dwelling, duplex
 - D. Dwelling, manufactured
- 2. Temporary Uses
 - A. Construction office, for life of project
 - B. Manufactured home while constructing a dwelling (maximum one year)

C. Subdivision/apartment sales rental office

4-307 Use Limitations

Unless otherwise specified in this Ordinance or modified pursuant to Part 3 of Article 10, all uses shall conform to the general and specific regulations and standards of Article 8 of this Ordinance. Included in this Article are performance standards and additional standards and regulations for specific permitted, special exception, special permit and administrative permit uses, accessory uses and structures, temporary uses, private streets, off-street parking and loading, signs, landscaping and buffering, and site plans.

Land lying within the 100 year floodplain, as defined in Article 12 is designated as a Floodplain (FP) overlay zoning district and is subject to the specific additional use restrictions, limitations and requirements of Part 6 of Article 7.

Land lying within designated airport safety and impact areas is subject to the additional regulations and restrictions of the Airport Safety and Impact (APSI) overlay zoning district set forth in Part 7 of Article 7. The APSI additional regulations include provisions which may limit new residential construction on land that is highly impacted by aircraft noise and may require soundproofing and other measures for specified locations near an airport.

In addition to the above general use restrictions, the following are specifically applicable to the R-2 district:

1. No sale of goods or products shall be permitted except as accessory and incidental to a permitted, special permit, special exception or administrative permit use.
2. **All utility distribution lines shall be placed underground.**

4-308 Density

The maximum residential density in the R-2 District is 2 dwelling unit per acre, unless a special exception is obtained in accordance with Section 8-126.

4-309 Conventional and Cluster Development

Residential development within the R-2 district may be done as either a conventional subdivision or as a cluster subdivision. A conventional subdivision involves the creation of lots strictly in accordance with the conventional subdivision lot and building requirements stated in Section 4-310 below. A cluster subdivision is an alternative form of subdivision premised on the concept of allowing the reductions of lot size and several other lot and building requirements in return for the provision of common open space and other amenities within the development.

4-310 Lot and Building Requirements

1. Minimum Lot Size
 - A. Conventional subdivision lot: 20,000 sq. ft.
 - B. Cluster subdivision lot: 10, 000 sq. ft.
2. Minimum Lot Width
 - A. Conventional subdivision lot
 - (1) Interior lot: 90 feet
 - (2) Corner lot: 125 feet
 - B. Cluster subdivision lot
 - (1) Interior lot: no requirement
 - (2) Corner lot: 100 feet
3. Minimum Front Yard, measured from the edge of the right-of-way of the type of street listed:
 - A. Conventional and cluster subdivision lots:
 - (1) Urban local or rural
minor collector: 50 feet
 - (2) Urban collector or
rural major collector: 65 feet
 - (3) Freeways and principal or
rural principal or minor arterials: 80 feet
4. Minimum Side Yards

- A. Conventional subdivision lot: 15 feet
- B. Cluster subdivision lots: 8 feet but the
two side yards must total not less than 25 ft.
- 5. Minimum Rear Yard
 - A. Conventional and cluster subdivision lots: 25 ft.
- 6. Maximum Building Height: 35 ft.
- 7. Maximum Lot Coverage(%): No requirements in the R-2 district.

4-311 Minimum District Size

- 1. Conventional subdivision development:

No minimum
- 2. Cluster subdivision development:

10 acres

4-312 Minimum Development Size

- 1. Conventional subdivision development:

No minimum
- 2. Cluster subdivision development:

10 acres

4-313 Buffers and Setbacks from Adjacent Development

When an R-2 development adjoins an existing or planned residential development which is zoned to a lesser density, a building setback shall be provided that is not less than the setbacks required in the adjoining zoning district. Within this area there shall be appropriate landscaping and buffering as approved by the Planning Commission or other approving subdivision authority in conjunction with the subdivision of the parcel.

4-314 Open Space and Recreational Requirements: Conventional Development

- 1. Except in the RA and RC zones, when a lot is proposed for subdivision using the cluster provisions of Section 4-310, a minimum of fifty (50) percent of the gross site area shall be in open space, unless a special exception satisfying the standards of Section 8-125.**
- 2. When a lot is proposed for conventional subdivision into 25 or more lots in the R-2 zone, the following minimum percentages of gross site area shall be in common open space unless a special exception satisfying the standards of Section 8-126 is approved. At least 50% of the designated open space shall be configured for contiguous usable recreation purposes:**

R-2 20%

4-315 Open Space and Recreational Requirements: Cluster Subdivision Development

- 1. Open Space: No less than 30% of the gross site area shall be provided as open space. No less than 50% of this open space shall be configured for contiguous, usable recreation purposes. Open space in the R-2 district shall be accessible to all residents of the development and shall be preserved by means of a permanent open space easement in a form acceptable to the County.**
- 2. Recreational Requirements: There are no minimum recreational requirements for the R-2 district.**

**PART 4 4-400 RESIDENTIAL (R-3) DISTRICT, THREE
DWELLING UNITS/ACRE**

4-401 Purpose and Intent

The R-3 Residential District is intended to promote and maintain single family residential communities and selected, primarily supportive non-residential uses consistent with the density, size and character of the district. The R-3 district is primarily intended for conventional subdivision development; however this Ordinance contains provisions for cluster development whereby lot and yard size requirements may be reduced in exchange for open space and other amenities that will benefit both the residents of the development and enhance the overall quality of development in Fauquier County. **The R-3 District is restricted to those areas designated as Service Districts in the Comprehensive Plan and which are served by public water and sewer.**

4-402 Uses Permitted By Right

The following principal uses shall be permitted by right in the R-3 District subject to the to the use restrictions and standards in Section 4-407, below, and in Article 8:

1. Residential Uses
 - A. Detached, single family dwellings
 - B. Dwelling, duplex
 - C. Attached, single family dwellings (TH)
2. Residential Business Uses
 - A. Home occupations with no retail sales or service and in accordance with Part 8 of Article 8
3. Community Uses
 - A. Recreational or social uses approved as part of a subdivision or site plan and operated for use of residents only
4. Public and Quasi-Public Uses
 - A. Parks and recreational facilities (civic), non- athletic

5. Agricultural Uses
 - A. Forestry
6. Public Utilities
 - A. Water and sewer pumping and storage facilities, below ground

4-403 Uses Permitted as Accessory Uses

Accessory uses and accessory service uses are defined in Article 12 and are set forth and subject to the regulations and standards as specified in Article 8. In general, accessory uses and structures are uses or structures which are subordinate to and serving a principal use, and are located within the building or structure served or on the same lot.

4-404 Uses Permitted by Special Exception

The following uses may be approved by Special Exception by the Board of Supervisors pursuant to the regulations and standards of Article 8 and procedural requirements of Part 5 of Article 9:

1. Educational Uses
 - A. College/university, fraternity/sorority house or other residential facilities for use by students, faculty or other affiliated with an educational institution
 - B. Primary school and secondary school with or without dormitory
 - C. School of special/technical education, indoor
2. Institutional Uses
 - A. Residential care facility greater than 25 persons, major
 - B. Medical Care facility, major
3. Public and Quasi-Public Uses
 - A. Governmental facilities, County
 - B. Parking facilities, public or private

- C. Public safety facility, (fire, rescue, police station or substation facility)
- D. Recycling containers, governmental
- 4. Public Utilities
 - A. Utility transmission facilities not subject to State Corporation Commission; sewage treatment, disposal and water purification
 - B. Telecommunication facilities, see Article 8-1100 Telecommunications Ordinance
 - C. Radio, television, microwave, antenna and transmitting equipment and above ground water and sewer pumping storage facilities

4-405 Uses Permitted by Special Permit

The following uses may be approved by Special Permit by the Board of Zoning Appeals pursuant to the regulations and standards of Article 8 and procedural requirements of Part 6 of Article 9:

- 1. Residential Businesses
 - A. Home occupations with retail sales or service and in accordance with Part 8 of Article 8:
- 2. Educational Uses
 - A. Preschool/day care center/nursery school
- 3. Institutional Uses
 - A. Place of Worship
 - B. Residential care facility, minor
 - C. Medical Care Facility, minor
- 4. Adaptive Uses

Adaptive uses are generally the use of a dwelling constructed prior to 1940 for uses other than as a detached, single family dwelling.

The following adaptive uses may be approved by special permit pursuant to at a minimum the standards in Article 8:

- A. Art and craft galleries
 - B. Inn or boarding house
 - C. Multi-family uses
 - D. Offices
 - E. Restaurants
 - F. Retail shops
5. Temporary Uses
- A. Carnival, circus, festival, fair, tractor pull, horse show, dog show, steeplechase, pony ride, turkey shoot, sale of Christmas trees, and other seasonal commodities and other similar activities
6. Recreation and Amusement Uses
- A. Country club/golf course, public or private
 - B. Equestrian facilities (boarding and instruction) (non-spectator)
 - C. Marina, dock or boating facility
 - D. Private clubs
 - E. Swimming/tennis (racquet) facility, public or private
8. Public and Quasi-Public Uses
- A. Library
 - B. Parks and recreational facilities (civic), athletic
9. Commercial Business and Personal Services
- A. Office, professional (including clinics), 6 or fewer employees

10. Public Utilities

- A. Electrical substation distribution centers and transformer stations; natural gas, oil, and other petroleum products metering, regulation, compressor and local office space incidental thereto and necessary for the operation of such stations but not including any storage facilities

11. Interment Uses

- A. Interment uses to include cemeteries, mausoleums, columbariums, memorial gardens and crematoriums

12. Increases in Building Height

- A. Pursuant to the standards of Section 8-123 of this Ordinance the Board of Zoning appeals may approve an increase in height above that specified in Section 4-410, below.

4-406 Uses Permitted by Administrative Permit

The following uses may be approved by Administrative Permit by the Zoning Administrator pursuant to the regulations and standards of Article 8 and procedural requirements of Part 7 of Article 9:

1. Residential Uses

- A. Dwellings, manufactured

2. Temporary Uses

- A. Construction office, for life of project
- B. Manufactured home while constructing a dwelling (maximum one year)
- C. Subdivision/apartment sales rental office

4-407 Use Limitations

Unless otherwise specified in this Ordinance or modified pursuant to Part 3 of Article 10 of this Ordinance, all uses shall conform to the general and specific regulations and standards of Article 8 of this Ordinance. Included in this Article are performance standards and additional standards and

regulations for specific permitted, special exception, special permit and administrative permit uses, accessory uses and structures, temporary uses, private streets, off-street parking and loading, signs, landscaping and buffering, and site plans.

Land lying within the 100 year floodplain, as defined in Article 12, is designated as a Floodplain (FP) overlay zoning district and is subject to the specific additional use restrictions, limitations and requirements of Part 6 of Article 7.

Land lying within designated airport safety and impact areas is subject to the additional regulations and restrictions of the Airport Safety and Impact (APSI) overlay zoning district set forth in Part 7 of Article 7. The APSI additional regulations include provisions which may limit new residential construction on land that is highly impacted by aircraft noise and may require soundproofing and other measures for specified locations near an airport.

In addition to the above general use restrictions, the following are specifically applicable to the R-3 district:

1. No sale of goods or products shall be permitted except as accessory and incidental to a permitted, special permit, special exception or administrative permit use.
2. **All utility distribution lines shall be placed underground.**

4-408 Density

The maximum residential density in the R-3 District is 3 dwelling units per acre, unless a special exception is obtained in accordance with Section 8-126.

4-409 Conventional and Cluster Development

Residential development within the R-3 district may be done as either a conventional subdivision or a cluster subdivision. A conventional subdivision involves the creation of lots strictly in accordance with the conventional subdivision lot and building requirements stated in Section 4-410 below. A cluster subdivision is an alternative form of subdivision premised on the concept of allowing the reductions of lot size and several other lot and building requirements in return for the provision of common open space and other amenities within the development.

4-410 Lot and Building Requirements*

Article 4-Residential District Regulations
Final Draft

1. Minimum Lot Size
 - A. Conventional subdivision lot: 10,500 sq. ft.
 - B. Cluster subdivision lot: 8,500 sq. ft.
2. Minimum Lot Width
 - A. Conventional subdivision lot:
 - (1) Interior lot: 80 feet
 - (2) Corner lot: 125 feet
 - B. Cluster subdivision lot:
 - (1) Interior lot: no requirement
 - (2) Corner lot: 100 feet
3. Minimum Front Yard, measured from the right-of-way of the type of street listed:
 - A. Conventional and cluster subdivision lots:
 - (1) Urban local or rural minor collector: 50 feet
 - (2) Urban collector or rural major collector: 65 feet
 - (3) Freeways and principal or rural principal or minor arterials: 80 feet
4. Minimum Side Yards
 - A. Conventional subdivision lot: 15 feet
 - B. Cluster subdivision lots: 8 feet but the two side yards must total not less than 20 ft.

***In the R-4 Zoning District for Single Family detached cluster development, the minimum lot size shall be 5,000 square feet, the minimum lot width shall be 50 feet, and the side yards shall total twelve (12) feet with a minimum size yard of five (5) feet. Please note that the minimum lot size for single family attached cluster remains as 1,800 square feet.**

5. Minimum Rear Yard
 - A. Conventional and cluster subdivision lots: 25 ft.

6. Maximum Building Height: 35 ft.
7. Maximum Lot Coverage(%): No requirements in the R-3 district.

4-411 Minimum District Size

1. Conventional subdivision development:
No minimum
2. Cluster subdivision development:
10 acres

4-412 Minimum Development Size

1. Conventional subdivision development:
No minimum
2. Cluster subdivision development:
10 acres

4-413 Buffers and Setbacks from Adjacent Development

When an R-3 development adjoins an existing or planned residential development which is zoned to a lesser density, a building setback shall be provided that is not less than the setbacks required in the adjoining zoning district. Within this area there shall be appropriate landscaping and buffering as approved by the Planning Commission or other approving subdivision authority in conjunction with the subdivision of the parcel.

4-414 Open Space and Recreational Requirements: Conventional Development

KEVIN TO RE-WRITE

~~There are no open space requirements for conventional subdivisions in the R-4 district. However, in keeping with the goals and objectives of the Comprehensive Plan and the purpose and intent of this Ordinance, applicants for conventional subdivision development may propose and the Planning Commission may approve open space and other amenities. Notwithstanding the above, a minimum of 5,000~~

~~square feet of active recreation space shall be provided for the first ten units in the development. Thereafter, an additional 100 square feet of active recreation space shall be provided for each additional dwelling unit. All active recreational space shall be accessible to all residents by internal pedestrian sidewalks or walkways. Active recreation space shall be as defined in Article 12, Definitions, of this Ordinance.~~

1. Except in the RA and RC zones, when a lot is proposed for subdivision using the cluster provisions of Section 4-410, a minimum of fifty (50) percent of the gross site area shall be in open space, unless a special exception satisfying the standards of Section 8-125.
2. When a lot is proposed for conventional subdivision into 25 or more lots in the R-3 zone, the following minimum percentages of gross site area shall be in common open space unless a special exception satisfying the standards of Section 8-126 is approved. At least 50% of the designated open space shall be configured for contiguous usable recreation purposes:

R-4 15%

. 4-415 Open Space and Recreational Requirements: Cluster Subdivision Lots

- Kevin?
- 1. Open Space:** No less than 25% of the gross site area shall be provided as open space. No less than 50% of this open space shall be configured for contiguous, usable recreation purposes. Open space in a cluster R-3 development shall be accessible to all residents of the development and shall be preserved by means of a permanent open space easement in a form acceptable to the County.
 - 2. Recreational Requirements:** Recreation requirements shall be the same as those for conventional development as specified in Section 4-414 above.

**PART 5 4-500 RESIDENTIAL (R-4) DISTRICT, FOUR
 DWELLING UNITS/ACRE**

4-501 Purpose and Intent

The R-4 Residential District is intended to promote and maintain single family residential communities and selected, primarily supportive non-residential uses consistent with the density, size and character of the district. The R-4 district is primarily intended for conventional subdivision development; however this Ordinance contains provisions for cluster development whereby lot and yard size requirements may be reduced in exchange for open space and other amenities that will benefit both the residents of the development and enhance the overall quality of development in Fauquier County. **The R-4 District is restricted to those areas designated as Service Districts in the Comprehensive Plan and which are served by public water and sewer.**

4-502 Uses Permitted By Right

The following principal uses shall be permitted by right in the R-4 District subject to the to the use restrictions and standards in Section 4-407, below, and in Article 8:

1. Residential Uses
 - B. Detached, single family dwellings
 - C. Dwelling, duplex
 - C. Attached, single family dwellings (TH)
2. Residential Business Uses
 - A. Home occupations with no retail sales or service and in accordance with Part 8 of Article 8
3. Community Uses
 - A. Recreational or social uses approved as part of a subdivision or site plan and operated for use of residents only
4. Public and Quasi-Public Uses
 - A. Parks and recreational facilities (civic), non- athletic

5. Agricultural Uses
 - A. Forestry
6. Public Utilities
 - A. Water and sewer pumping and storage facilities, below ground

4-503 Uses Permitted as Accessory Uses

Accessory uses and accessory service uses are defined in Article 12 and are set forth and subject to the regulations and standards as specified in Article 8. In general, accessory uses and structures are uses or structures which are subordinate to and serving a principal use, and are located within the building or structure served or on the same lot.

4-504 Uses Permitted by Special Exception

The following uses may be approved by Special Exception by the Board of Supervisors pursuant to the regulations and standards of Article 8 and procedural requirements of Part 5 of Article 9:

1. Educational Uses
 - B. College/university, fraternity/sorority house or other residential facilities for use by students, faculty or other affiliated with an educational institution
 - B. Primary school and secondary school with or without dormitory
 - C. School of special/technical education, indoor
3. Institutional Uses
 - B. Residential care facility greater than 25 persons, major
4. Public and Quasi-Public Uses
 - A. Governmental facilities, County
 - B. Parking facilities, public or private
 - C. Public safety facility, (fire, rescue, police station or substation facility)

- D. Recycling containers, governmental
- 4. Public Utilities
 - A. Utility transmission facilities not subject to State Corporation Commission; sewage treatment, disposal and water purification
 - B. Telecommunication facilities, see Article 8-1100 Telecommunications Ordinance
 - C. Radio, television, microwave, antenna and transmitting equipment and above ground water and sewer pumping storage facilities

4-505 Uses Permitted by Special Permit

The following uses may be approved by Special Permit by the Board of Zoning Appeals pursuant to the regulations and standards of Article 8 and procedural requirements of Part 6 of Article 9:

- 1. Residential Businesses
 - A. Home occupations with retail sales or service and in accordance with Part 8 of Article 8:
- 2. Educational Uses
 - A. Preschool/day care center/nursery school
- 3. Institutional Uses
 - A. Place of Worship
 - B. Residential care facility, minor
- 4. Adaptive Uses

Adaptive uses are generally the use of a dwelling constructed prior to 1940 for uses other than as a detached, single family dwelling. The following adaptive uses may be approved by special permit pursuant to at a minimum the standards in Article 8:

- A. Art and craft galleries

- B. Inn or boarding house
- C. Multi-family uses
- D. Offices
- F. Restaurants
- F. Retail shops
- 5. Temporary Uses
 - A. Carnival, circus, festival, fair, tractor pull, horse show, dog show, steeplechase, pony ride, turkey shoot, sale of Christmas trees, and other seasonal commodities and other similar activities
- 6. Recreation and Amusement Uses
 - A. Country club/golf course, public or private
 - B. Equestrian facilities (boarding and instruction) (non-spectator)
 - C. Marina, dock or boating facility
 - D. Private clubs
 - E. Swimming/tennis (racquet) facility, public or private
- 7. Public and Quasi-Public Uses
 - A. Library
 - B. Parks and recreational facilities (civic), athletic
- 8. Commercial Business and Personal Services
 - A. Office, professional (including clinics), 6 or fewer employees
- 9. Public Utilities
 - A. Electrical substation distribution centers and transformer stations; natural gas, oil, and other petroleum products metering, regulation, compressor and local office space

incidental thereto and necessary for the operation of such stations but not including any storage facilities

10. Interment Uses

- A. Interment uses to include cemeteries, mausoleums, columbariums, memorial gardens and crematoriums

11. Increases in Building Height

- A. Pursuant to the standards of Section 8-123 of this Ordinance the Board of Zoning appeals may approve an increase in height above that specified in Section 4-410, below.

4-506 Uses Permitted by Administrative Permit

The following uses may be approved by Administrative Permit by the Zoning Administrator pursuant to the regulations and standards of Article 8 and procedural requirements of Part 7 of Article 9:

1. Residential Uses

- A. Dwellings, manufactured

2. Temporary Uses

- B. Construction office, for life of project
- B. Manufactured home while constructing a dwelling (maximum one year)
- C. Subdivision/apartment sales rental office

4-507 Use Limitations

Unless otherwise specified in this Ordinance or modified pursuant to Part 3 of Article 10 of this Ordinance, all uses shall conform to the general and specific regulations and standards of Article 8 of this Ordinance. Included in this Article are performance standards and additional standards and regulations for specific permitted, special exception, special permit and administrative permit uses, accessory uses and structures, temporary uses, private streets, off-street parking and loading, signs, landscaping and buffering, and site plans.

Land lying within the 100 year floodplain, as defined in Article 12, is designated as a Floodplain (FP) overlay zoning district and is subject to the specific additional use restrictions, limitations and requirements of Part 6 of Article 7.

Land lying within designated airport safety and impact areas is subject to the additional regulations and restrictions of the Airport Safety and Impact (APSI) overlay zoning district set forth in Part 7 of Article 7. The APSI additional regulations include provisions which may limit new residential construction on land that is highly impacted by aircraft noise and may require soundproofing and other measures for specified locations near an airport.

In addition to the above general use restrictions, the following are specifically applicable to the R-4 district:

1. No sale of goods or products shall be permitted except as accessory and incidental to a permitted, special permit, special exception or administrative permit use.
2. **All utility distribution lines shall be placed underground.**

4-508 Density

The maximum residential density in the R-4 District is 4 dwelling unit per acre, unless a special exception is obtained in accordance with Section 8-126.

4-509 Conventional and Cluster Development

Residential development within the R-4 district may be done as either a conventional subdivision or a cluster subdivision. A conventional subdivision involves the creation of lots strictly in accordance with the conventional subdivision lot and building requirements stated in Section 4-410 below. A cluster subdivision is an alternative form of subdivision premised on the concept of allowing the reductions of lot size and several other lot and building requirements in return for the provision of common open space and other amenities within the development.

4-510 Lot and Building Requirements*

1. Minimum Lot Size
 - A. Conventional subdivision lot: 10,000 sq. ft.
 - B. Cluster subdivision lot: 6,000 sq. ft.

2. Minimum Lot Width
 - B. Conventional subdivision lot:
 - (3) Interior lot: 70 feet
 - (4) Corner lot: 125 feet
 - C. Cluster subdivision lot:
 - (1) Interior lot: no requirement
 - (2) Corner lot: 100 feet
4. Minimum Front Yard, measured from the right-of-way of the type of street listed:
 - A. Conventional and cluster subdivision lots:
 - (2) Urban local or rural
minor collector: 50 feet
 - (3) Urban collector or
rural major collector: 65 feet
 - (4) Freeways and principal or
rural principal or minor arterials: 80 feet
4. Minimum Side Yards
 - C. Conventional subdivision lot: 10 feet
 - D. Cluster subdivision lots: 8 feet but the
two side yards must total not less than 20 ft.

***In the R-4 Zoning District for Single Family detached cluster development, the minimum lot size shall be 5,000 square feet, the minimum lot width shall be 50 feet, and the side yards shall total twelve (12) feet with a minimum size yard of five (5) feet. Please note that the minimum lot size for single family attached cluster remains as 1,800 square feet.**

5. Minimum Rear Yard
 - B. Conventional and cluster subdivision lots: 25 ft.
6. Maximum Building Height: 35 ft.
7. Maximum Lot Coverage(%): No requirements in the R-4 district.

4-511 Minimum District Size

2. Conventional subdivision development:

No minimum

3. Cluster subdivision development:

10 acres

4-512 Minimum Development Size

2. Conventional subdivision development:

No minimum

3. Cluster subdivision development:

10 acres

4-513 Buffers and Setbacks from Adjacent Development

When an R-4 development adjoins an existing or planned residential development which is zoned to a lesser density, a building setback shall be provided that is not less than the setbacks required in the adjoining zoning district. Within this area there shall be appropriate landscaping and buffering as approved by the Planning Commission or other approving subdivision authority in conjunction with the subdivision of the parcel.

4-514 Open Space and Recreational Requirements: Conventional Development

KEVIN TO RE-WRITE

~~There are no open space requirements for conventional subdivisions in the R-4 district. However, in keeping with the goals and objectives of the Comprehensive Plan and the purpose and intent of this Ordinance, applicants for conventional subdivision development may propose and the Planning Commission may approve open space and other amenities. Notwithstanding the above, a minimum of 5,000 square feet of active recreation space shall be provided for the first ten units in the development. Thereafter, an additional 100 square feet of active recreation space shall be provided for each additional dwelling unit. All active recreational space shall be accessible to all~~

~~residents by internal pedestrian sidewalks or walkways. Active recreation space shall be as defined in Article 12, Definitions, of this Ordinance.~~

1. Except in the RA and RC zones, when a lot is proposed for subdivision using the cluster provisions of Section 4-410, a minimum of fifty (50) percent of the gross site area shall be in open space, unless a special exception satisfying the standards of Section 8-125.
2. When a lot is proposed for conventional subdivision into 25 or more lots in the R-4 zone, the following minimum percentages of gross site area shall be in common open space unless a special exception satisfying the standards of Section 8-126 is approved. At least 50% of the designated open space shall be configured for contiguous usable recreation purposes:

R-4 15%

4-515 Open Space and Recreational Requirements: Cluster Subdivision Lots

- Kevin?**
- 1. Open Space:** No less than 25% of the gross site area shall be provided as open space. No less than 50% of this open space shall be configured for contiguous, usable recreation purposes. Open space in a cluster R-4 development shall be accessible to all residents of the development and shall be preserved by means of a permanent open space easement in a form acceptable to the County.
 - 2. Recreational Requirements:** Recreation requirements shall be the same as those for conventional development as specified in Section 4-414 above.

PART 5 4-600 TOWNHOUSE (TH) RESIDENTIAL DISTRICT

4-601 Purpose and Intent

The Townhouse (TH) Residential District is intended to promote and maintain townhouse residential communities at densities up to seven (7) dwellings units per acre and to permit selected, primarily supporting non-residential uses consistent with the density and character of the district. This district is restricted to those areas designated as Service Districts in the Comprehensive Plan and which are served by public water and sewer.

4-602 Uses Permitted By Right

The following principal uses shall be permitted by right in the TH District subject to the regulations and standards of Article 8 and procedural requirements of Part 6 of Article 9:

1. Residential Uses
 - A. Attached, single family dwelling
 - B. Dwelling, duplex
 - C. Detached, single family dwelling
2. Residential Business Uses
 - A. Home occupations with no retail sales or service and in accordance with Part 8 of Article 8
3. Community Uses
 - A. Recreational or social uses approved as part of a subdivision or site plan and operated for use of residents only
4. Public and Quasi-Public Uses
 - A. Parks and recreational facilities (civic), non-athletic
5. Agricultural Uses
 - A. Forestry

6. Public Utilities

- A. Water and sewer pumping and storage facilities, below ground

4-603 Uses Permitted as Accessory Uses

Accessory uses and accessory service uses are defined in Article 12 and are set forth and subject to the regulations and standards as specified in Article 8. In general, accessory uses and structures are uses or structures which are subordinate to and serving a principal use, and are located within the building or structure served or on the same lot.

4-604 Uses Permitted by Special Exception

The following uses may be approved by Special Exception by the Board of Supervisors pursuant to the regulations and standards of Article 8 and procedural requirements of Part 5 of Article 9:

1. Educational Uses

- A. College/university, fraternity/sorority house or other residential facilities for use by students, faculty or other affiliated with an educational institution
- B. Primary school and secondary school with or without dormitory
- C. School of special/technical education, indoor

2. Institutional Uses

- A. Residential Care Facility greater than 25 persons, major

3. Public and Quasi-Public Uses

- A. Governmental facilities, County
- B. Library
- C. Parking facilities, public or private
- D. Public safety facility, (fire, rescue, police station or substation facility)

- E. Recycling containers, governmental
- 4. Public Utilities
 - A. Utility transmission facilities not subject to State Corporation Commission; Sewage treatment, disposal and water purification
 - B. Telecommunication facilities, see Article 8-1100 Telecommunications Ordinance
 - C. Radio, television, microwave, antenna and transmitting equipment and above ground water and sewer pumping storage facilities

4-605 Uses Permitted by Special Permit

The following uses may be approved by Special Permit by the Board of Zoning Appeals pursuant to the provisions of the regulations and standards of Article 8 and procedural requirements of Part 6 of Article 9:

- 1. Residential Businesses
 - A. Home occupations with retail sales or service and in accordance with Part 8 of Article 8
- 2. Educational Uses
 - A. Preschool/day care center/nursery school
- 3. Institutional Uses
 - A. Place of Worship
 - B. Residential care facility, minor
- 4. Adaptive Uses

Adaptive uses are generally the use of a dwelling constructed prior to 1940 for uses other than as a detached, single family dwelling. The following adaptive uses may be approved for existing detached single family dwellings by special permit pursuant to at a minimum the standards in Article 8:

- A. Art and craft galleries

- B. Inn or boarding house
- C. Multi-family uses
- D. Offices
- E. Restaurants
- F. Retail shops
- 5. Temporary Uses
 - A. Carnival, circus, festival, fair, tractor pull, horse show, dog show, steeplechase, pony ride, turkey shoot, sale of Christmas trees, and other seasonal commodities and other similar activities
- 6. Public and Quasi-Public Uses
 - A. Parks and recreational facilities (civic), athletic
- 7. Commercial Business and Personal Services
 - A. Office, professional (including clinics), 6 or fewer employees
- 8. Public Utilities
 - A. Electrical substation distribution centers and transformer stations; natural gas, oil, and other petroleum products metering, regulation, compressor and local office space incidental thereto and necessary for the operation of such stations but not including any storage facilities
- 9. Increases in Building Height
 - A. Pursuant to the standards of Section 8-123 of this Ordinance the Board of Zoning appeals may approve an increase in height above that specified in Section 4-509, below.

4-606 Uses Permitted by Administrative Permit

The following uses may be approved by Administrative Permit by the Zoning Administrator pursuant to the regulations and standards of Article 8 and procedural requirements of Part 7 of Article 9:

1. Temporary Uses
 - A. Construction office, for life of project
 - B. Subdivision/apartment sales rental office

4-607 Use Limitations

Unless otherwise specified in this Ordinance or modified pursuant to Part 3 of Article 10 of this Ordinance, all uses shall conform to the general and specific regulations and standards of Article 8 of this Ordinance. Included in this Article are performance standards and additional standards and regulations for specific permitted, special exception, special permit and administrative permit uses, accessory uses and structures, temporary uses, private streets, off-street parking and loading, signs, landscaping and buffering, and site plans.

Land lying within the 100 year floodplain, as defined in Article 12, is designated as a Floodplain (FP) overlay zoning district and is subject to the specific additional use restrictions, limitations and requirements of Part 6 of Article 7.

Land lying within designated airport safety and impact areas is subject to the additional regulations and restrictions of the Airport Safety and Impact (APSI) overlay zoning district set forth in Part 7 of Article 7. The APSI additional regulations include provisions which may limit new residential construction on land that is highly impacted by aircraft noise and may require soundproofing and other measures for specified locations near an airport.

Specific use restrictions applicable to the TH district:

1. Not more than eight (8) dwelling units shall be located in one row of continuous townhouse units.
2. **At least two access points to a public street shall be provided for developments of greater than thirty (30) dwelling units.**
3. No sale of goods or products shall be permitted except as accessory and incidental to a permitted, special permit, special exception or administrative permit use.

4. All utility distribution lines shall be placed underground.

4-608 Density

The maximum residential density in the TH District is 7 dwelling unit per acre.

4-609 Lot and Building Requirements*

1. Minimum Lot Size:
 - (A) Townhouse units: 1,800 square feet
 - (B) **Duplex units: 3,600 square feet**
2. Minimum Lot Width:
 - (A) 20 feet for interior townhouse units
 - (B) 24 feet for townhouse end units
 - (C) 35 feet for duplex units
3. Minimum Front Yard.
 - A. Public Streets, measured from the edge of the right-of-way of the type of street indicated:
 - (1) Urban local or rural
minor collector: 50 feet

***In the TH Zoning District, for conventional and cluster single family detached development, the density, lot size, lot width and bulk requirements shall be the same as those for conventional and cluster developments as specified for the R-4 Zoning District.**

- (2) Urban collector or
rural major collector: 65 feet
- (3) Freeways and principal or
rural principal or minor arterials: 80 feet

B. Private Travelways, measured from the centerline of the travelway:

(1) With parking on travelway: 45 feet

(2) Without parking on travelway: 40 feet

4. Minimum Side Yards

A. Interior townhouse units: no minimum for interior lot with common wall

B. End townhouse units: 8 feet

C. Duplex units: 10 feet

5. Minimum Rear Yard: 25 feet

6. Maximum Building Height: 35 ft.

7. Maximum Lot Coverage(%): 30%

4-610 Minimum District Size

The minimum district size is 10 acres.

4-611 Minimum Development Size

The minimum development size is 5 acres.

4-612 Buffers and Setbacks from Adjacent Development

When TH development adjoins an existing or planned residential development which is zoned to a lesser density, a building setback shall be provided that is not less than the setbacks required in the adjoining zoning district. Within this area there shall be appropriate landscaping and buffering as approved by the Planning Commission or other approving subdivision authority in conjunction with the subdivision of the parcel.

4-613 Open Space and Recreational Requirements:

1. Open Space

There shall be a minimum of 30% of the gross TH site area established as common open space. Open space shall be accessible to all residents of the development and shall be preserved by means of a permanent open space easement in a form acceptable to the County.

2. Recreation Space

There shall be a minimum of 5,000 square feet of active recreational space for the first ten units in the development. Thereafter, an additional 100 square feet of active recreation space shall be provided for each additional dwelling unit. All active recreational space shall be accessible to all residents by internal pedestrian sidewalks or walkways. Active recreation space shall be as defined in Article 12 of this Ordinance.

PART 7 4-700 GARDEN APARTMENT (GA) RESIDENTIAL DISTRICT

4-701 Purpose and Intent

The Garden Apartment (GA) Residential District is intended to promote and maintain multi-family residential communities at densities up to thirteen (13) dwellings units per acre and to permit selected, primarily supporting non-residential uses consistent with the density and character of the district. **This district is restricted to those areas designated as Service Districts in the Comprehensive Plan and which are served by public water and sewer.**

4-702 Principal Uses Permitted By Right

The following principal uses shall be permitted by right in the GA District subject to the use restrictions and standards in Section 4-607, below, and in Article 8:

1. Residential Uses
 - A. Apartment, efficiency
 - B. Dwelling, attached, single-family
 - C. Dwelling, duplex
 - D. Dwelling, multi-family
2. Residential Business Uses
 - A. Home occupations with no retail sales or service and in accordance with Part 8 of Article 8
3. Community Uses
 - A. Recreational or social uses approved as part of a subdivision or site plan and operated for use of residents only
4. Public and Quasi-Public Uses
 - A. Parks and recreational facilities (civic), non-athletic

5. Agricultural Uses
 - A. Forestry
6. Public Utilities
 - A. Water and sewer pumping and storage facilities, below ground

4-703 Uses Permitted as Accessory Uses

Accessory uses and accessory service uses are defined in Article 12 and are set forth and subject to the regulations and standards as specified in Article 8. In general, accessory uses and structures are uses or structures which are subordinate to and serving a principal use, and are located within the building or structure served or on the same lot.

4-704 Uses Permitted by Special Exception

The following uses may be approved by Special Exception by the Board of Supervisors pursuant to the regulations and standards of Article 8 and procedural requirements of Part 5 of Article 9:

1. Educational Uses
 - A. Primary school and secondary school with or without dormitory
2. Public and Quasi-Public Uses
 - A. Governmental facilities, County
 - B. Library
 - C. Parking facilities, public or private
 - D. Public safety facility, (fire, rescue, police station or substation facility)
 - E. Recycling containers, governmental
3. Public Utilities

- A. Utility transmission facilities not subject to State Corporation Commission; Sewage treatment, disposal and water purification
- B. Telecommunication facilities, see Article 8-1100 Telecommunications Ordinance
- C. Radio, television, microwave, antenna and transmitting equipment and above ground water and sewer pumping storage facilities

4-705 Uses Permitted by Special Permit

The following uses may be approved by Special Permit by the Board of Zoning Appeals pursuant to the regulations and standards of Article 8 and procedural requirements of Part 6 of Article 9:

- 1. Residential Businesses
 - A. Home occupations with retail sales or service and in accordance with Part 8 of Article 8
- 2. Educational Uses
 - A. Preschool/day care center/nursery school
- 3. Institutional Uses
 - A. Residential care facility, minor
- 4. Temporary Uses
 - A. Carnival, circus, festival, fair, tractor pull, horse show, dog show, steeplechase, pony ride, turkey shoot, sale of Christmas trees, and other seasonal commodities and other similar activities
- 5. Public and Quasi-Public Uses
 - A. Parks and recreational facilities (civic), athletic
- 6. Commercial Business and Personal Services
 - A. Office, professional (including clinics), 6 or fewer employees

7. Public Utilities

- A. Electrical substation distribution centers and transformer stations; natural gas, oil, and other petroleum products metering, regulation, compressor and local office space incidental thereto and necessary for the operation of such stations but not including any storage facilities

8. Increases in Building Height

- A. Pursuant to the standards of Section 8-123 of this Ordinance the Board of Zoning Appeals may approve an increase in height above that specified in Section 4-609, below.

4-706 Uses Permitted by Administrative Permit

The following uses may be approved by Administrative Permit by the Zoning Administrator pursuant to the regulations and standards of Article 8 and procedural requirements of Part 7 of Article 9:

1. Temporary Uses

- A. Construction office, for life of project
- B. Subdivision/apartment sales rental office

4-707 Use Limitations

Unless otherwise specified in this Ordinance or modified pursuant to Part 3 of Article 10 of this Ordinance, all uses shall conform to the general and specific regulations and standards of Article 8 of this Ordinance. Included in this Article are performance standards and additional standards and regulations for specific permitted, special exception, special permit and administrative permit uses, accessory uses and structures, temporary uses, private streets, off-street parking and loading, signs, landscaping and buffering, and site plans.

Land lying within the 100 year floodplain, as defined in Article 12, is designated as a Floodplain (FP) overlay zoning district and is subject to the specific additional use restrictions, limitations and requirements of Part 6 of Article 7.

Land lying within designated airport safety and impact areas is subject to the additional regulations and restrictions of the Airport Safety and Impact (APSI) overlay zoning district set forth in Part 7 of Article 7. The APSI additional regulations include provisions which may limit new residential construction on land that is highly impacted by aircraft noise and may require soundproofing and other measures for specified locations near an airport.

Specific use restrictions applicable to the GA district:

1. Not more than 24 dwelling units shall be contained in a single apartment building.
2. Not more than eight (8) dwelling units shall be located in one row of continuous townhouse homes.
3. No sale of goods or products shall be permitted except as accessory and incidental to a permitted, special permit, special exception or administrative permit use.
- 4. All utility distribution lines shall be placed underground.**
- 5. At least two access points to a public street shall be provided for developments of greater than thirty (30) dwelling units.**

4-708 Density

The maximum residential density in the GA District is 13 dwelling units per acre.

4-709 Lot and Building Requirements

1. Minimum Lot Size:
 - (A) Multi-family unit structure: 8,000 sq. ft
 - (B) Townhouse units: 1,800 square feet**
 - (C) Duplex units: 3,600 square feet**
2. Minimum Lot Width
 - (A) 80 feet for a multi-family unit structure
 - (B) 20 feet for interior townhouse units

(C) 24 feet for townhouse end units

(D) 35 feet for duplex units

3. Minimum Front Yard.

A. Public Streets, measured from the edge of the right-of-way of the type of street indicated

(1) Urban local or rural
minor collector: 50 feet

(2) Urban collector or
rural major collector: 65 feet

(3) Freeways and principal or
rural principal or minor arterials: 80 feet

B. Private Travelways, measured from the centerline of the travelway:

(1) With parking on travelway: 45 feet

(2) Without parking on travelway: 40 feet

4. Minimum Side Yards:

A. Multi-family structure: minimum of 25 feet to property line or private access easement line

B. Interior townhouse units: no minimum for interior lot with common wall

C. End townhouse unit: 8 feet

D. Duplex unit: 10 feet

5. Minimum Rear Yard: 25 feet

6. **Minimum Multi-family Structure Building Separation:**

A. **Separation between side-to-side buildings: 20 feet**

B. **Separation between buildings placed side to back: 35 feet**

C. **Separation between buildings placed back to back: 50 feet**

7. **Maximum Building Height: 35 ft.**

8. **Maximum Lot Coverage(%): 30%**

4-710 Minimum District Size

The minimum district size is 10 acres.

4-711 Minimum Development Size

The minimum development size is 5 acres.

4-712 Buffers and Setbacks from Adjacent Development

When a GA development adjoins an existing or planned residential development which is zoned to a lesser density, a building setback shall be provided that is not less than the setbacks required in the adjoining zoning district. Within this area there shall be appropriate landscaping and buffering as approved by the Planning Commission or other approving subdivision authority in conjunction with the subdivision of the parcel.

4-713 Open Space and Recreational Requirements:

1. Open Space

There shall be a minimum of 30% of the gross GA site area established as common open space. Open space shall be accessible to all residents of the development and shall be preserved by means of a permanent open space easement in a form acceptable to the County.

2. Recreation:

There shall be a minimum of 5,000 square feet of active recreational space for the first ten units in the development. Thereafter, an additional 100 square feet of active recreation space shall be provided for each

additional dwelling unit. All active recreational space shall be accessible to all residents by internal pedestrian sidewalks or walkways. Active recreation space shall be as defined in Article 12 of this Ordinance.

**PART 8 4-800 MANUFACTURED DWELLING PARK (MDP)
RESIDENTIAL DISTRICT**

4-801 Purpose and Intent

The MDP Manufactured Dwelling Park District is intended to accommodate the need for multiple units of manufactured dwelling housing in an environment which promotes the health, safety and general welfare of its inhabitants. The MDP district is intended for the renting of space for units and not individual fee ownership of individual lots for units. The District requires the provision of central water and sanitary sewer. **Zoning regulations for individual manufactured dwelling units are found in Article 3 of Ordinance pertaining to the rural zoning districts (RA and RC) and Parts 1 through 4 of this Article which address uses in the Village, R-1, R-2 and R-4 zoning districts. These districts allow single manufactured dwelling units as a permitted use, subject to the rules, regulations and use restrictions common to all dwelling units.**

4-802 Uses Permitted By Right

The following principal uses shall be permitted by right in the MDP District subject to the use restrictions and standards in Section 4-707, below, and in Article 8:

1. Residential Uses
 - A. Dwelling, manufactured
2. Residential Businesses
 - A. Home occupations with no retail sales or service and in accordance with Part 8 of Article 8
3. Community Uses
 - A. Recreational or social uses approved as part of a subdivision or site plan and operated for use of residents only
4. Public and Quasi-Public Uses
 - A. Parks and recreational facilities (civic), non-athletic

5. Motor Vehicle Related Uses
 - A. Manufactured home sales, rental and service
6. Agricultural Uses
 - A. Forestry
7. Public Utilities
 - A. Water and sewer pumping and storage facilities, below ground.

4-803 Uses Permitted as Accessory Uses

Accessory uses and accessory service uses are defined in Article 12 and are set forth and subject to the regulations and standards as specified in Article 8. In general, accessory uses and structures are uses or structures which are subordinate to and serving a principal use, and are located within the building or structure served or on the same lot.

4-804 Uses Permitted by Special Exception

The following uses may be approved by Special Exception by the Board of Supervisors pursuant to the regulations and standards of Article 8 and procedural requirements of Part 6 of Article 9:

1. Public and Quasi-Public Uses
 - A. Governmental facilities, County
 - B. Library
 - C. Parking facilities, public or private
 - D. Public safety facility, (fire, rescue, police station or substation facility)
 - E. Recycling containers, governmental
2. Public Utilities

- A. Telecommunication facilities, see Article 8-1100 Telecommunications Ordinance
- B. Radio, television, microwave, antenna and transmitting equipment and above ground water and sewer pumping storage facilities

4-805 Uses Permitted by Special Permit

The following uses may be approved by Special Permit by the Board of Zoning Appeals pursuant to the regulations and standards of Article 8 and procedural requirements of Part 6 of Article 9:

- 1. Residential Businesses
 - A. Home occupations with retail sales or service and in accordance with Part 8 of Article 8
- 2. Educational Uses
 - A. Preschool/day care center/nursery school
- 3. Temporary Uses
 - A. Carnival, circus, festival, fair, tractor pull, horse show, dog show, steeplechase, pony ride, turkey shoot, sale of Christmas trees, and other seasonal commodities and other similar activities
- 4. Public and Quasi-Public Uses
 - A. Parks and recreational facilities (civic), athletic
- 5. Public Utilities
 - A. Electrical substation distribution centers and transformer stations; natural gas, oil, and other petroleum products metering, regulation, compressor and local office space incidental thereto and necessary for the operation of such stations but not including any storage facilities

4-806 Uses Permitted by Administrative Permit

The following uses may be approved by Administrative Permit by the Zoning Administrator pursuant to the regulations and standards of Article 8 and the procedural requirements of Part 7 of Article 9:

1. Temporary Uses

- A. Construction office, for life of project
- B. Subdivision/apartment sales rental office

4-807

Use Limitations

Unless otherwise specified in this Ordinance or modified pursuant to Part 3 of Article 10 of this Ordinance, all uses shall conform to the general and specific regulations and standards of Article 8 of this Ordinance. Included in this Article are performance standards and additional standards and regulations for specific permitted, special exception, special permit and administrative permit uses, accessory uses and structures, temporary uses, private streets, off-street parking and loading, signs, landscaping and buffering, and site plans.

Land lying within the 100 year floodplain, as defined in Article 12, is designated as a Floodplain (FP) overlay zoning district and is subject to the specific additional use restrictions, limitations and requirements of Part 6 of Article 7.

Land lying within designated airport safety and impact areas is subject to the additional regulations and restrictions of the Airport Safety and Impact (APSI) overlay zoning district set forth in Part 7 of Article 7. The APSI additional regulations include provisions which may limit new residential construction on land that is highly impacted by aircraft noise and may require soundproofing and other measures for specified locations near an airport.

Specific use restrictions for the MDP district are:

- 1. No space in a manufactured dwelling park shall be rented for residential use except for periods of thirty (30) days or more and no manufactured dwelling shall be located in any park unless it can be demonstrated that it meets the requirements of the Manufactured Dwelling Manufacturers Association's "Manufactured Dwelling Standards for Plumbing, Heating and Electrical Systems".
- 2. All manufactured dwelling parks shall meet the requirements for same as set forth in the Virginia Uniform Statewide

Building Code. The issuance of zoning and building permits is required prior to the location of each manufactured dwelling in a manufactured dwelling park.

3. All manufactured dwelling parks shall be subject to approval of a site plan in accordance with the provisions of Article 8.
4. Every manufactured dwelling space shall be shown on the site plan and clearly defined on the ground by permanent monuments. Such manufactured dwelling space shall not be put to record, shall not constitute a division or subdivision of land and shall not be transferred independently. However, streets, drainage, fire hydrants, and similar improvements shall be provided in accordance with standards contained in the Subdivision Ordinance.
5. Every manufactured dwelling space shall be provided with a manufactured dwelling stand so designed to provide adequate support to the maximum anticipated loads during all seasons, and so located as to provide for the practical placement of a manufactured dwelling and its manufactured dwelling accessory structure in such a manner that such manufactured dwelling shall comply fully with all requirements of this Ordinance.
6. No structure shall be attached to any manufactured dwelling except for manufactured dwelling accessory structures as defined in this Ordinance. Manufactured dwelling accessory structures shall not exceed the height of the manufactured dwelling to which they are attached, nor will they exceed a height of eight feet if detached. The total of all manufactured dwelling accessory structures located on any one manufactured dwelling space will not exceed 500 square feet.
7. All areas designated as open space in the site plan shall be reserved for the exclusive use of the manufactured dwelling park's residents. The remaining area not available to the residents shall be used only by the manufactured dwelling park management for the operation and maintenance of the park.
8. All manufactured dwelling space shall abut on a driveway or private street, with unobstructed access to a public street.
9. All private streets and driveways within a manufactured dwelling park shall be constructed in accordance with the provisions of Part 5 of Article 8, Private Streets.

10. No sale of goods or products shall be permitted except as accessory and incidental to a permitted, special permit, special exception or administrative permit use.
11. **All utility distribution lines shall be placed underground.**
12. **Access of the MDP roads onto public roads classified higher than urban local or rural minor collector roads shall be designed so as to minimize entrance points onto the higher classified roads and to place entrance points at locations that minimize adverse impacts on the safety and overall optimal functioning of the higher classified road.**
13. **At least two access points to a public street shall be provided for developments of greater than thirty (30) dwelling units.**

4-808 Density

The maximum residential density in the MDP District is 8 dwelling units per acre.

4-809 Lot and Building Requirements.

1. Minimum Lot Size for a MDP:

The minimum size for separate parcels of land comprising a MDP or a portion of a MDP is 3 acres.

- ASK RICK**
2. Minimum Lot Width for a MDP:

There is no minimum lot width for the MDP; however, lot widths for rental spaces shall be determined and approved as part of the required site plan.

3. Minimum Front Yard for a MDP:

- A. The depth of the required front yard for the MDP, measured from the centerline of a public street right-of-way shall be from a:

(1) Local Collector: 50 ft

(2) Major Collector: 65 ft.

(3) Major Thoroughfare: 80 ft.

B. The depth of the front yard for individual spaces from internal travelways shall be as approved at the time of site plan approval but in no case less than 15 feet from the edge of the travelway easement or right-of-way.

4. Minimum Side and Rear Yards for a MDP: 25 feet

5. Maximum Building Height: 20 ft.

6. Maximum Lot Coverage: 25%.

4-810 Minimum District Size

10 acres.

4-811 Minimum Development Size

10 acres.

4-812 Buffers and Setbacks from Adjacent Development

When an MDP development adjoins an existing or planned residential development which is zoned to a lesser density, a building setback shall be provided that is not less than the setbacks required in the adjoining zoning district. Within this area there shall be appropriate landscaping and buffering approved in conjunction with the site plan for the development.

4-813 Open Space and Recreational Requirements

1. **Open Space:** There shall be a minimum of 30% of the gross MDP site area established as common open space. Open space shall be accessible to all residents of the MDP and shall be preserved by means of a permanent open space easement in a form acceptable to the County.
2. **Recreation:** There shall be a minimum of 5,000 square feet of active recreational space for the first ten units in the development. Thereafter, an additional 100 square feet of active recreation space shall be provided for each additional dwelling unit. All active recreational space

shall be accessible to all residents by internal pedestrian sidewalks or walkways. Active recreation space shall be as defined in Article 12 of this Ordinance.